

REMARKS

The Examiner objects to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter; rejects claims 97-115 under 35 U.S.C. § 112, 1st paragraph, as allegedly failing to comply with the written description requirement; rejects claims 97-115 under 35 U.S.C. § 112, 2nd paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention; rejects claims 97-115 as allegedly unpatentable over U.S. Patent No. 6,683,870 to Archer (hereinafter “ARCHER”) in view of U.S. Patent No. 4,608,455 to McNair (hereinafter “MCNAIR”); rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of U.S. Patent No. 6,381,644; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,377,993; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-23 of U.S. Patent No. 6,385,644; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 6,470,386; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,490,620; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-34 of U.S. Patent No. 6,574,661; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,598,167; rejects claims 97-115 on the

grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-26 of U.S. Patent No. 6,606,708; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-73 of U.S. Patent No. 6,611,498; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-10 of U.S. Patent No. 6,745,229; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-11 of U.S. Patent No. 6,763,376; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,968,571; and rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of U.S. Patent No. 7,058,600. Applicants respectfully traverse this objection and these rejections.

By way of the Amendment, Applicants amend claims 97-115 to improve form. No new matter has been added by the present amendment. Claims 97-115 are pending.

Objection to the specification

The Examiner objects to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. Applicants respectfully traverse this objection.

The Examiner lists various terms recited in the claims and alleges that since these terms do not appear in the specification, the specification fails to provide “proper antecedent basis for the claimed subject matter” (Office Action, pp. 2-3). As the phrase

“lacks antecedent basis” is typically applied in a rejection of a claim under 35 U.S.C. § 112, 2nd paragraph, Applicants will assume the Examiner meant to object to the specification as failing to comply with the written description requirement.

At the outset, Applicants submit that the subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement (see M.P.E.P. § 2163.02). Applicants will address the Examiner’s specific allegations to demonstrate that the specification complies with the written description requirement.

a) The Examiner alleges that the terms “enterprise communication network” recited in claim 97 is not supported by the specification (Office Action, p. 3, item a). Applicants disagree with the Examiner’s allegation.

The terms “enterprise communication network” may correspond to, for example, a communication network used for business purposes. Support for these terms can be found, for example, at lines 8-11 of p. 9 of the specification, which disclose:

The present invention is directed to a Web-based system for doing business that utilizes an integrated customer interface system for telecommunications network management.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “enterprise communication network,” as recited in claim 97.

b) The Examiner alleges that the terms “object oriented protocol” recited in claim 97 are not supported by the specification (Office Action, p. 3, item b). Applicants disagree with the Examiner’s allegation.

The terms “object oriented protocol” may correspond to, for example, a process employed in an object-oriented environment. Support for these terms can be found, for example, at p. 29, line 28 to p. 30, line 2 of the specification, which disclose:

More specifically, the client-tier software is created and 30 distributed as a set of Java classes including the applet classes to provide an industrial strength, object-oriented environment over the Internet.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “object oriented protocol” as recited in claim 97.

c) The Examiner alleges that the terms “network entitlements” recited in claim 97 are not supported by the specification (Office Action, p. 3, item c). Applicants disagree with the Examiner’s allegation.

Support for these terms can be found, for example, at lines 1-12 of p. 51 of the specification, which disclose:

As briefly mentioned, the StarOE server 39 of the networkMCI Interact system (Figure 2) is used to order, fulfill, and bill for, as well as administer, the suite of network applications, providing a horizontal service for use by all applications. The applications communicate to StarOE for all authentication, entitlement and system administration as well as order entry services. StarOE centrally processes these service requests for the individual applications by providing all order entry and security information for the "networkMCI Interact"suite of applications.
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “network entitlements” as recited in claim 97.

d) The Examiner alleges that the terms “proxy generation” recited in claim 97 are not supported by the specification (Office Action, p. 3, item d). Applicants disagree with the Examiner’s allegation.

The terms “proxy generation” may correspond to, for example, generation of a message forwarded to a proxy. Support for these terms can be found, for example, at lines 4-19 of p. 34 of the specification, which disclose:

The dispatch server will unwrap an outer protocol layer of the message from the DMZ services cluster 24, and will reencrypt the message with symmetric encryption and forward the message to an appropriate application proxy via a third TCP/IP socket 27. While waiting for the proxy response all three of the sockets 22, 23, 27 will be blocking on a receive. Specifically, once the message is decrypted, the wrappers are examined to reveal the user and the target middle-tier (Intranet application) service for the request. A first-level validation is performed, making sure that the user is entitled to communicate with the desired service. The user's entitlements in this regard are fetched by the dispatch server 26 from StarOE server 39 at logon time and cached. (emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “proxy generation” as recited in claim 97.

e) The Examiner alleges that the terms “proxy request” recited in claim 97 are not supported by the specification (Office Action, p. 3, item e). Applicants disagree with the Examiner’s allegation.

The terms “proxy request” may correspond to, for example, receiving a response from a proxy. Support for these terms can be found, for example, at lines 4-19 of p. 34 of the specification, which disclose:

The dispatch server will unwrap an outer protocol layer of the message from the DMZ services cluster 24, and will reencrypt the message with symmetric encryption and forward the message to an appropriate application proxy via a third TCP/IP socket 27. While waiting for the proxy response all three of the sockets 22, 23, 27 will be blocking on a receive. Specifically, once the message is decrypted, the wrappers are examined to reveal the user and the target middle-tier (Intranet application) service for the request. A first-level validation is performed, making sure that the user is entitled to communicate with the desired service. The user's entitlements in this regard are fetched by the dispatch server 26 from StarOE server 39 at logon time and cached.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “proxy request” as recited in claim 97.

f) The Examiner alleges that the terms “switched voice traffic resources” recited in claim 97 are not supported by the specification (Office Action, p. 3, item f). Applicants disagree with the Examiner’s allegation.

The terms “switched voice traffic resources” may correspond to, for example, resources within switched-circuit voice networks. Support for these terms can be found, for example, at p. 10, line 23 to p. 11, line 3 of the specification, which disclose:

6) an event monitor system for providing customers with various reports and real-time alarm information 25 relating to their switched-circuit (data and voice) networks in real time or near-real time, including: provision of physical and logical views of customers' Broadband data networks, physical and logical view of Broadband network alarms, and physical and logical 30 performance information relating to the circuits which comprise a customer's Broadband data network, e.g., frame-relay, thus, allowing customers to make informed network management decisions in controlling their business telecommunications networks;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched voice traffic resources” as recited in claim 97.

g) The Examiner alleges that the terms “switched data traffic resources” recited in claim 97 are not supported by the specification (Office Action, p. 3, item g). Applicants disagree with the Examiner’s allegation.

The terms “switched data traffic resources” may correspond to, for example, resources within switched-circuit data networks. Support for these terms can be found, for example, at p. 10, line 23 to p. 11, line 3 of the specification, which disclose:

6) an event monitor system for providing customers with various reports and real-time alarm information relating to their switched-circuit (data and voice) networks in real time or near-real time, including: provision of physical and logical views of customers' Broadband data networks, physical and logical view of Broadband network alarms, and physical and logical performance information relating to the circuits which comprise a customer's Broadband data network, e.g., frame-relay, thus, allowing customers to make informed network management decisions in controlling their business telecommunications networks;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched data traffic resources” as recited in claim 97.

h) The Examiner alleges that the terms “switched toll free voice traffic resources” recited in claim 98 are not supported by the specification (Office Action, p. 3, item h). Applicants disagree with the Examiner’s allegation.

The terms “switched toll free voice traffic resources” may correspond to, for example, resources within toll-free networks. Support for these terms can be found, for example, at lines 7-10 of p. 10 of the specification, which disclose:

3) a real-time monitoring system enabling a customer to monitor call detail statistics and call detail data pertaining to their special service network usage, e.g., 800/8xx toll-free networks;

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched toll free voice traffic resources” as recited in claim 98.

i) The Examiner alleges that the terms “switched call center voice traffic resources” recited in claim 99 are not supported by the specification (Office Action, p. 3, item i). Applicants disagree with the Examiner’s allegation.

The terms “switched call center voice traffic resources” may correspond to, for example, resources for routing voice calls to call centers. Support for these terms can be found, for example, at lines 1-14 of p. 292 of the specification, which disclose:

Another application of the suite of telecommunications network management applications is the call manager ("CM") system which provides sophisticated mechanisms, e.g., intelligent call routing, for call center customers to control delivery of toll free calls from the telecommunications enterprise network to call centers, including call centers having multiple Automatic Call Distributors (ACDs). Particularly, using the CM system the customers have the ability to define routing rules which, on a call by call basis, determine the best place to route incoming toll free calls.

(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched toll free voice traffic resources” as recited in claim 99.

j) The Examiner alleges that the terms “switched toll traffic” recited in claim 100 are not supported by the specification (Office Action, p. 3, item j). Applicants disagree with the Examiner’s allegation.

The terms “switched toll traffic” may correspond to, for example, priced (e.g., non-toll-free) calls. Support for these terms can be found, for example, at p. 9, line 29 to p. 10, line 2 of the specification, which disclose:

1) report requestor, report viewer, and report management applications enabling a customer to request, specify, customize and schedule delivery of reports pertaining to customer's real time "unpriced" call detail data and priced call detail data;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched toll traffic” as recited in claim 100.

k) The Examiner alleges that the terms “switched voice communications” recited in claim 101 are not supported by the specification (Office Action, p. 3, item k). Applicants disagree with the Examiner’s allegation.

The terms “switched voice communications” may correspond to, for example, information relating to switched-circuit voice networks. Support for these terms can be found, for example, at p. 10, line 23 to p. 11, line 3 of the specification, which disclose:

6) an event monitor system for providing customers with various reports and real-time alarm information 25 relating to their switched-circuit (data and voice) networks in real time or near-real time, including: provision of physical and logical views of customers' Broadband data networks, physical and logical view of Broadband network alarms, and physical and logical 30 performance information relating to the circuits which comprise a customer's Broadband data network, e.g., frame-relay, thus, allowing customers to make informed network management decisions in controlling their business telecommunications networks;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “switched voice communications” as recited in claim 101.

l) The Examiner alleges that the terms “real time reporter” recited in claim 102 are not supported by the specification (Office Action, p. 3, item l). Applicants disagree with the Examiner’s allegation.

The terms “real time reporter” may correspond to, for example, an event monitor system for providing customers with various reports and real-time alarm information. Support for these terms can be found, for example, at p. 10, line 23 to p. 11, line 3 of the specification, which disclose:

6) an event monitor system for providing customers with various reports and real-time alarm information relating to their switched-circuit (data and voice) networks in real time or near-real time, including: provision of physical and logical views of customers' Broadband data networks, physical and logical view of Broadband network alarms, and physical and logical performance information relating to the circuits which comprise a customer's Broadband data network, e.g., frame-relay, thus, allowing customers to make informed network management decisions in controlling their business telecommunications networks;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “real time reporter” as recited in claim 102.

m) The Examiner alleges that the terms “in-box manager application” recited in claim 105 are not supported by the specification (Office Action, p. 3, item m). Applicants disagree with the Examiner’s allegation.

The terms “in-box manager application” may correspond to, for example, an inbox system. Support for these terms can be found, for example, at p. 10, lines 2-6 of the specification, which disclose:

2) centralized inbox system for providing on-line reporting, presentation, and notifications to a client workstation from one or more Intranet application services over an Internet/Intranet network;

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “in-box manager application” as recited in claim 105.

n) The Examiner alleges that the terms “priced call application” recited in claim 106 are not supported by the specification (Office Action, p. 3, item n). Applicants disagree with the Examiner’s allegation.

The terms “priced call application” may correspond to, for example, a billing system in which customers may view priced call data. Support for these terms can be found, for example, at p. 14, line 29 to p. 15, line 6 of the specification, which disclose:

It is another object of the present invention to provide an integrated E-Billing system for doing business in which customers may view unpriced and priced telecommunication call data, to view electronically generated invoices for the telecommunication service provided, and to pay for these services with an E-Billing electronic fund transfer.
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “priced call application” as recited in claim 106.

o) The Examiner alleges that the terms “broadband view application” recited in claim 107 are not supported by the specification (Office Action, p. 3, item o). Applicants disagree with the Examiner’s allegation.

The terms “broadband view application” may correspond to, for example, a viewer application to analyze and display data supplied from a broadband manager. Support for these terms can be found, for example, at p. 778, lines 6-11 of the specification, which disclose:

The Report Viewer application 215 is a GUI Applet enabling a user to analyze and display the data and reports supplied from the fulfilling servers such as ODs 400, Traffic View (TVS) 500, and other systems such as Broadband and toll free network manager.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “broadband view application” as recited in claim 107.

p) The Examiner alleges that the terms “in-box application” recited in claim 108 are not supported by the specification (Office Action, p. 3, item p). Applicants disagree with the Examiner’s allegation.

The terms “in-box application” may correspond to, for example, an inbox system. Support for these terms can be found, for example, at p. 10, lines 2-6 of the specification, which disclose:

2) centralized inbox system for providing on-line reporting, presentation, and notifications to a client workstation from one or more Intranet application services over an Internet/Intranet network;

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “in-box application” as recited in claim 108.

q) The Examiner alleges that the terms “event monitor application” recited in claim 109 are not supported by the specification (Office Action, p. 3, item q). Applicants disagree with the Examiner’s allegation.

Support for these terms can be found, for example, at p. 10, line 23 to p. 11, line 3 of the specification, which disclose:

6) an event monitor system for providing customers with various reports and real-time alarm information 25 relating to their switched-circuit (data and voice) networks in real time or near-real time, including: provision of physical and logical views of customers' Broadband data networks, physical and logical view of Broadband network alarms, and physical and logical 30 performance information relating to the circuits which comprise a customer's Broadband data network, e.g., frame-relay, thus, allowing customers to make informed network management decisions in controlling their business telecommunications networks;
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “event monitor application” as recited in claim 109.

r) The Examiner alleges that the terms “single order entry application” recited in claim 111 are not supported by the specification (Office Action, p. 3, item r). Applicants disagree with the Examiner’s allegation.

The terms “single order entry application” may correspond to, for example, an application to order, fulfill, and bill for, as well as administer, a suite of network applications, providing a horizontal service for use by all applications. Support for these terms can be found, for example, at lines 1-12 of p. 51 of the specification, which disclose:

As briefly mentioned, the StarOE server 39 of the networkMCI Interact system (Figure 2) is used to order, fulfill, and bill for, as well as administer, the suite of network applications, providing a horizontal service for use by all applications. The applications communicate to StarOE for all authentication, entitlement and system administration as well as order entry services. StarOE centrally processes these service requests for the individual applications by providing all order entry and security information for the "networkMCI Interact" suite of applications.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “single order entry application” as recited in claim 111.

s) The Examiner alleges that the terms “E-billing application” recited in claim 112 are not supported by the specification (Office Action, p. 3, item s). Applicants disagree with the Examiner’s allegation.

The terms “E-billing application” may correspond to, for example, an electronic billing system. Support for these terms can be found, for example, at p. 14, line 29 to p. 15, line 6 of the specification, which disclose:

It is another object of the present invention to provide an integrated E-Billing system for doing business in which customers may view unpriced and priced telecommunication call data, to view electronically generated invoices for the telecommunication service provided, and to pay for these services with an E-Billing electronic fund transfer.
(emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “E-billing application” as recited in claim 112.

t) The Examiner alleges that the terms “client view application” recited in claim 113 are not supported by the specification (Office Action, p. 3, item t). Applicants disagree with the Examiner’s allegation.

The terms “client view application” may correspond to, for example, an application to display an online invoice screen. Support for these terms can be found, for example, at p. 342, line 27 to p. 343, line 5 of the specification, which disclose:

After successful logon and entitlement determination (by StarOE server), and upon selection of the online invoice (Clientview) application from the downloaded networkMCI interact homepage to the user [Figure 5(b)], a Clientview applet is invoked at step 1362 to display an online invoice screen at the customer workstation.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “client view application” as recited in claim 113.

u) The Examiner alleges that the terms “pre-selected calls” recited in claim 114 are not supported by the specification (Office Action, p. 3, item u). Applicants disagree with the Examiner’s allegation.

The terms “pre-selected calls” may correspond to, for example, specific types of calls selected by a user. Support for these terms can be found, for example, at p. 81, line 26 to p. 82, line 7 of the specification, which disclose:

Additionally, at step 325, the user may select the report format associated with a reporting Category. For example, in the screen display of Figure 12 (a), associated with the analyze traffic report category, the report format options indicated in selection filed 1565 include the following: area code summary, country code summary, state summary, frequent numbers, payphone report and review calls options. For the financial report category, report formats include: longest calls, most expensive calls, payphone report, and area code summary;

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “pre-selected calls” as recited in claim 114.

v) The Examiner alleges that the terms “invoice generation” recited in claim 114 are not supported by the specification (Office Action, p. 3, item v). Applicants disagree with the Examiner’s allegation.

Support for these terms can be found, for example, at p. 336, lines 1-7 of the specification, which disclose:

Another application of the suite of telecommunications network management applications is an online invoicing system, herein referred to as "ClientView," which provides customers with the ability to view invoices and reports online, and offers a facility for printing and faxing documents. (emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “invoice generation” as recited in claim 114.

w) The Examiner alleges that the terms “view application” recited in claim 115 are not supported by the specification (Office Action, p. 4, item w). Applicants disagree with the Examiner’s allegation.

The terms “view application” may correspond to, for example, an application to display an online invoice screen. Support for these terms can be found, for example, at p. p. 342, line 27 to p. 343, line 5 of the specification, which disclose:

After successful logon and entitlement determination (by StarOE server), and upon selection of the online invoice (Clientview) application from the downloaded networkMCI interact homepage to the user [Figure 5(b)], a Clientview applet is invoked at step 1362 to display an online invoice screen at the customer workstation.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “view application” as recited in claim 115.

For at least the foregoing reasons, Applicants submit that the specification provides sufficient antecedent basis for the claimed subject matter. Accordingly, Applicants respectfully request that the objection to the specification be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, 1st paragraph

Claims 97-115 stand rejected under 35 U.S.C. § 112, 1st paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

x) With respect to claims 97, 110, and 115, the Examiner alleges that the terms “proxy generation” are not disclosed in the specification (Office Action. p. 4, item x). Applicants disagree with the Examiner’s allegation.

The terms “proxy generation” may correspond to, for example, the generation of a message forwarded to a proxy. Support for these terms can be found, for example, at lines 4-19 of p. 34 of the specification, which disclose:

The dispatch server will unwrap an outer protocol layer of the message from the DMZ services cluster 24, and will reencrypt the message with symmetric encryption and forward the message to an appropriate application proxy via a third TCP/IP socket 27. While waiting for the proxy response all three of the sockets 22, 23, 27 will be blocking on a receive. Specifically, once the message is decrypted, the wrappers are examined to reveal the user and the target middle-tier (Intranet application) service for the request. A first-level validation is performed, making sure that the user is entitled to communicate with the desired service. The user's entitlements in this regard are fetched by the dispatch server 26 from StarOE server 39 at logon time and cached.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “proxy generation” as recited in claims 97, 110, and 115.

y) With respect to claims 97, 110, and 115, the Examiner alleges that the terms “proxy request” are not disclosed in the specification (Office Action. p. 4, item y). Applicants disagree with the Examiner’s allegation.

The terms “proxy request” may correspond to, for example, generation of a request forwarded to a proxy. Support for these terms can be found, for example, at lines 4-19 of p. 34 of the specification, which disclose:

The dispatch server will unwrap an outer protocol layer of the message from the DMZ services cluster 24, and will reencrypt the message with symmetric encryption and forward the message to an appropriate application proxy via a third TCP/IP socket 27. While waiting for the proxy response all three of the sockets 22, 23, 27 will be blocking on a receive. Specifically, once the message is decrypted, the wrappers are examined to reveal the user and the target middle-tier (Intranet application) service for the request. A first-level validation is performed, making sure that the user is entitled to communicate with the desired service. The user's entitlements in this regard are fetched by the dispatch server 26 from StarOE server 39 at logon time and cached.

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “proxy request” as recited in claims 97, 110, and 115.

z) With respect to claim 114, the Examiner alleges that the terms “pre-selected calls” are not disclosed in the specification (Office Action. p. 4, item z).

Applicants disagree with the Examiner’s allegation.

The terms “pre-selected calls” may correspond to, for example, specific types of calls selected by a user. Support for these terms can be found, for example, at p. 81, line 26 to p. 82, line 7 of the specification, which disclose:

Additionally, at step 325, the user may select the report format associated with a reporting category. For example, in the screen display of Figure 12 (a) , associated with the analyze traffic report category, the report format options indicated in selection filed 1565 include the following: area code summary, country code summary, state summary, frequent numbers, payphone report and review calls options. For the financial report category, report formats include: longest calls, most expensive calls, payphone report, and area code summary;

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms “pre-selected calls” as recited in claim 114.

aa) With respect to claim 114, the Examiner alleges that the terms “invoice generation” are not disclosed in the specification (Office Action. p. 4, item aa).

Applicants disagree with the Examiner’s allegation.

Support for these terms can be found, for example, at p. 336, lines 1-7 of the specification, which disclose:

Another application of the suite of telecommunications network management applications is an online invoicing system, herein referred to as "ClientView," which provides customers with the ability to view invoices and reports online, and offers a facility for printing and faxing documents. (emphasis added)

Therefore, Applicants submit that the specification satisfies the written description requirement with respect to the terms "invoice generation" as recited in claim 114.

For at least the foregoing reasons, Applicants submit that claims 97-115 comply with the written description requirement. Accordingly, Applicants respectfully request that the rejection of claims 97-115 under 35 U.S.C. § 112, 1st paragraph, be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 97-115 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

With regard to the various allegations made by the Examiner regarding the alleged indefiniteness of claims 97-115, Applicants note that it is black letter Patent law that the breadth of a claim is not to be equated with indefiniteness. In re Miller, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). See also M.P.E.P. § 2173.04. Additionally, a fundamental principle contained in 35 U.S.C. § 112, second paragraph, is that an applicant is his/her own lexicographer and may "define in the claims what they regard as their invention essentially in whatever terms they choose so long as any special meaning assigned to a term is clearly set forth in the specification." M.P.E.P. § 2173.01.

Applicants submit that the Examiner's allegations go to the breadth of claims 97-115 and

not the indefiniteness of claims 97-115. Applicants will further address the Examiner's specific allegations.

With respect to claims 97 and 110, the Examiner alleges there is insufficient antecedent basis for the feature "said secure server" (Office Action, Page 5). While not necessarily agreeing with the Examiner, Applicants have amended claims 97 and 110 to address the Examiner's concerns and in order to expedite prosecution.

Accordingly, Applicants respectfully request that this rejection of claims 97 and 110 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claims 97 and 100, the Examiner alleges that one of ordinary skill in the art would not be able to determine the corresponding structure of the feature "after said customer's entitlements have been verified" and further alleges that this feature appears to be part on an intended use of the dispatch server (Office Action, p. 5). Applicants respectfully disagree with the Examiner's allegations.

At the outset, Applicants submit that the Examiner's allegation goes to the breadth of claims 97 and 110, and not the indefiniteness of claims 97 and 110. There is no requirement under 35 U.S.C. § 112, 2nd paragraph, that Applicants narrow the claims to recite a specific structure used to determine that a customer's entitlements have been verified.

Furthermore, lines 14-19 of p. 34 of the specification recite:

A first-level validation is performed, making sure that the user is entitled to communicate with the desired service. The user's entitlements in this regard are fetched by the dispatch server 26 from StarOE server 39 at logon time and cached.

Applicants submit that, given at least this section of the specification, one of ordinary skill in the art would be able to determine a structure for the above-noted feature of claims 97 and 110.

Accordingly, Applicants respectfully request that this rejection of claims 97 and 100 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claims 97 and 110, the Examiner alleges that one of ordinary skill in the art would not be able to determine the corresponding structure of the feature “providing session management for the customer, said session management including customer identification, validation, entitlements and encryption” and further alleges that this feature appears to be part on an intended use of the dispatch server (Office Action, p. 5). Applicants respectfully disagree with the Examiner’s allegations.

At the outset, Applicants submit that the Examiner’s allegation goes to the breadth of claims 97 and 110, and not the indefiniteness of claims 97 and 110. There is no requirement under 35 U.S.C. § 112, 2nd paragraph, that Applicants narrow the claims to recite a specific structure used for providing session management for the customer, said session management including customer identification, validation, entitlements and encryption.

Furthermore, lines 5-28 of p. 33 of the specification recite:

The present invention is implemented with a secure version of HTTP such as SHTTP or HTTPS, and preferably utilizes the SSL implementation of HTTPS. The preferred embodiment uses SSL which provides a cipher spec message which provides server authentication during a session. The preferred embodiment further associates a given HTTPS request with a logical session which is initiated and tracked by a "cookie jar server" 32 to generate a "J1cookie" which is a unique server-generated key that is sent to the client along with each reply to a HTTPS request. The client holds the cookie and returns it to the server as part of each subsequent HTTPS request. As desired, either the Web servers 24, the cookie jar server 32 or the Dispatch Server 26, may maintain the "cookie jar" to map these keys to the associated session. A separate cookie jar server 32, as illustrated in Figure 2 has been found desirable to minimize the load on the dispatch server 26. A new cookie will be generated when the response to the HTTPS request is sent to the client. This form of session management also functions as an authentication of each HTTPS request, adding an additional level of security to the overall process.
(emphasis added)

Applicants submit that, given at least this section of the specification, one of ordinary skill in the art would be able to determine a structure for the above-noted feature of claims 97 and 110.

Accordingly, Applicants respectfully request that this rejection of claims 97 and 110 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claims 97 and 110, the Examiner alleges that the terms “a plurality of system resources” has at least three possible interpretations, and that as at least some of the resources are set out as being software, network manager, and view application, the Examiner has interpreted system resources to be software (Office Action, p. 6). Applicants respectfully disagree with the Examiner’s allegations.

At the outset, Applicants submit that the Examiner’s allegation goes to the breadth of claims 97 and 110, and not the indefiniteness of claims 97 and 110. There is no requirement under 35 U.S.C. § 112, 2nd paragraph, that Applicants narrow the claims to recite the exact elements that are included within the feature “a plurality of system resources.”

Accordingly, Applicants respectfully request that this rejection of claims 97 and 110 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claim 105, the Examiner alleges that one of ordinary skill in the art would not understand the feature “in-box manager application” because it has at least two distinct interpretations (Office Action, Page 6). Applicants respectfully disagree with the Examiner.

For example, p. 9, line 25 to p. 10, line 6 of the specification disclose:

In the preferred embodiment, the telecommunications products and services delivered to a client workstation having the integrated customer interface include: 1) report requestor, report

viewer, and report management applications enabling a customer to request, specify, customize and schedule delivery of reports pertaining to customer's real time "unpriced" call detail data and priced call detail data; 2) centralized inbox system for providing on-line reporting, presentation, and notifications to a client workstation from one or more Intranet application services over an Internet/Intranet network;
(emphasis added)

Applicants submit that, given at least this section of the specification, one of ordinary skill in the art would find the meaning of "in-box manager application" clear.

Furthermore, Applicants submit that the Examiner's interpretation that the above-noted feature could be interpreted that the application is stored in a system, or box, is unreasonable.

Accordingly, Applicants respectfully request that this rejection of claim 105 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claim 108, the Examiner alleges that one of ordinary skill in the art would not understand the feature "in-box application" because it has at least two distinct interpretations (Office Action, Page 6). Applicants respectfully disagree with the Examiner.

For example, p. 9, line 25 to p. 10, line 6 of the specification disclose:

In the preferred embodiment, the telecommunications products and services delivered to a client workstation having the integrated customer interface include: 1) report requestor, report viewer, and report management applications enabling a customer to request, specify, customize and schedule delivery of reports pertaining to customer's real time "unpriced" call detail data and priced call detail data; 2) centralized inbox system for providing on-line reporting, presentation, and notifications to a client workstation from one or more Intranet application services over an Internet/Intranet network;
(emphasis added)

Applicants submit that, given at least this section of the specification, one of ordinary skill in the art would find the meaning of "in-box application" clear.

Furthermore, Applicants submit that the Examiner's interpretation that the above-noted feature could be interpreted that the application is stored in a system, or box, is unreasonable.

Accordingly, Applicants respectfully request that this rejection of claim 108 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claim 109, the Examiner alleges that there is insufficient antecedent basis for the feature “forwarding alarms generated” in line 3 (Office Action, pp. 6-7). Applicants respectfully disagree with the Examiner’s allegation.

Claim 109 recites that a system includes an event monitor application for storing and forwarding alarms generated with respect to the customer’s traffic over the communications network. Claim 109 does not recite a system includes an event monitor application for storing and forwarding the alarms generated with respect to the customer’s traffic over the communications network. Therefore, claim 109 does refer to a previous instance of the terms “alarms generated” and therefore the feature “forwarding alarms generated” does not suffer from insufficient antecedent basis.

Accordingly, Applicants respectfully request that this rejection of claim 109 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

With respect to claim 115, the Examiner alleges there is insufficient antecedent basis for the feature “said system” (Office Action, p. 7). While not necessarily agreeing with the Examiner, Applicants have amended claim 115 to address the Examiner’s concerns and in order to expedite prosecution.

Accordingly, Applicants respectfully request that this rejection of claim 115 under 35 U.S.C. § 112, 2nd paragraph, be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103 based on ARCHER and MCNAIR

Claims 97-115 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ARCHER in view of MCNAIR. Applicants respectfully traverse this rejection.

Amended independent claim 97 is directed to an integrated and secure system for conducting business over the public Internet by enabling a customer of an enterprise communications network to command and control the customer's switched communications connections within the network over the public Internet and to view results of any changes in the customer's connections over the public Internet. The system includes an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements; at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for the customer, the session management including customer identification, validation, entitlements and encryption; and at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for the system resources after the customer's entitlements have been verified; the plurality of system resources including a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from

the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer. ARCHER and MCNAIR, whether taken alone or in any reasonable combination, do not disclose this combination of features.

For example, ARCHER and MCNAIR do not disclose an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements, as recited in amended claim 97. The Examiner relies on IP Network 130; col. 7, line 64 to col. 8, line 11; item 134b; col. 8, lines 50-56; and col. 8, line 61 to col. 9, line 9 of ARCHER for allegedly disclosing this feature (Office Action, p. 8). Applicants disagree with the Examiner's interpretation of ARCHER.

Col. 7, line 64 to col. 8, line 11 of ARCHER, which describe items 130 and 134b of ARCHER, disclose:

In FIG. 2, computer 134b is coupled to packet-switched network 130 through modem 140, circuit-switched network 136 and modem 142. This type of connection may be necessary when a user does not have direct access to a packet-switched network, for example a home PC. For the purpose of this invention, computer 134b is considered a digital device, even if modem 142 is an analog modem because from a logical viewpoint, computer 134b can be assigned an IP address and communicate with other components on the network 130 using the same protocol. An example of a computer 134b is a personal computer which includes a modem and executes a browser (e.g., Netscape Navigator or Microsoft Explorer) and is connected via telephone lines to an Internet service provider.

This section of ARCHER discloses a computer that executes a browser, which is coupled to a packet-switched network via telephone lines through a modem. This section of ARCHER does not disclose an object oriented protocol that supports encryption or network entitlements. Therefore, this section of ARCHER does not disclose an object

oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements, as recited in amended claim 97.

Col. 8, lines 50-56 of ARCHER disclose:

1. Using standard phone service and equipment 114, a caller dials a called party's find-me phone number (Step 102). This telephone number may be a specific phone number, either local or toll-free (e.g., 800 or 888 area code). Alternatively, multiple subscribers can share a single telephone number where each has a unique identification code which would be entered by the caller.

This section of ARCHER discloses that using standard phone service and equipment, a caller dials a party's find-me phone number, which may be a specific phone number, either local or toll-free. Alternatively, multiple users can share a single phone number with a unique identification code. This section of ARCHER does not disclose an object oriented protocol that supports encryption or network entitlements. Therefore, this section of ARCHER does not disclose an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements, as recited in amended claim 97.

Col. 8, line 61 to col. 9, line 9 of ARCHER disclose:

3. Follow-me server processor 128 performs a lookup to database 138 for the called party's designated destination numbers (Step 106). The database 138 has been set up beforehand by entering the TCP/IP based destination in the called party's profile. As discussed above, database 138 can be a standard database to store and retrieve phone number lists provided by the called party. The system should preferably support either static or dynamic addresses. In a static addressing scheme, each network interface is assigned a unique physical address. The address may be assigned by the hardware manufacturer or configured by the user. A dynamic addressing scheme provides a mechanism that automatically assigns a physical address to a station when the station first boots. In the embodiment illustrated in FIG. 2, database 138 would include telephone numbers for telephones 120a and 120b and IP addresses for computers 134a and 134b.

This section of ARCHER discloses that a follow-me processor performs a lookup to a database for the called party's designated destination numbers. The database has been set beforehand by entering the TCP/IP based destination in the called party's profile. The system supports both a static addressing scheme, in which each network interface is assigned a unique number, or a dynamic addressing scheme, in which a mechanism automatically assigns a physical address to a station when the station first boots. This section of ARCHER does not disclose an object oriented protocol that supports encryption or network entitlements. Therefore, this section of ARCHER does not disclose an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements, as recited in amended claim 97.

MCNAIR does not overcome the deficiencies of ARCHER set forth above with respect to this feature of amended claim 97.

Furthermore, ARCHER and MCNAIR do not disclose at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for a customer, the session management including customer identification, validation, entitlements and encryption, as also recited in amended claim 97. The Examiner relies on item 128a; col. 9, lines 31-37; col. 8, lines 50-56; and col. 8, line 61 to col. 9, line 9 of ARCHER for allegedly disclosing this feature (Office Action, p. 8). Applicants disagree with the Examiner's interpretation of ARCHER.

Item 128a of ARCHER is described in col. 10, lines 45-55 of ARCHER, which disclose:

FIG. 6 also illustrates some of the variations discussed above but not shown in FIG. 2. For example, the computer system for server processor 128 is illustrated in three subsystems 128a, 128b, and 128c. Subsystem 128a is coupled to subsystem 128b through packet-switched network 130 and coupled to subsystem 128c through a separate network 144. In addition, database 138 is illustrated as being coupled to server processor 128 via packet-switched network 130. Finally, FIG. 6 shows a cellular communications system transmit/receive tower 146 coupled to PSTN 130 to transmit and receive signals to and from cellular phone 120.

This section of ARCHER discloses server processor 128, which includes subsystems 128a, 128b, and 128c. This section of ARCHER does not disclose that server processor subsystem 128a of ARCHER manages secure customer sessions over the public Internet and provides session management for a customer, the session management including customer identification, validation, entitlements and encryption, as would be required by claim 97 based on the Examiner's interpretation of ARCHER. Therefore, this section of ARCHER does not disclose at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for a customer, the session management including customer identification, validation, entitlements and encryption, as recited in amended claim 97.

Col. 9, lines 31-37 of ARCHER disclose:

5. The first destination to answer initiates voice digitization at the server processor 128. Upon receipt of a pickup notification, server processor 128 will terminate the call notification to each of the other receiving devices 120, 134. An example of this step was described above with respect to steps 64 and 66 of FIG. 4. The connection can then be commenced.

This section of ARCHER discloses that the first destination to answer a call initiates voice digitization at a server processor. Upon receipt of a pickup notification, the server processor will terminate the call notification to each of the other receiving devices, after which the connection can be commenced. This section of ARCHER does not disclose a secure web server that manages secure customer sessions. Therefore, this section of

ARCHER does not disclose at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for a customer, the session management including customer identification, validation, entitlements and encryption, as recited in amended claim 97.

Col. 8, lines 50-56 of ARCHER were reproduced above. This section of ARCHER discloses that using standard phone service and equipment, a caller dials a party's find-me phone number, which may be a specific phone number, either local or toll-free. Alternatively, multiple users can share a single phone number with a unique identification code. This section of ARCHER does not disclose a secure web server that manages secure customer sessions. Therefore, this section of ARCHER does not disclose at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for a customer, the session management including customer identification, validation, entitlements and encryption, as recited in amended claim 97.

Col. 8, line 61 to col. 9, line 9 of ARCHER were reproduced above. This section of ARCHER discloses that a follow-me processor performs a lookup to a database for the called party's designated destination numbers. The database has been set beforehand by entering the TCP/IP based destination in the called party's profile. The system supports both a static addressing scheme, in which each network interface is assigned a unique number, or a dynamic addressing scheme, in which a mechanism automatically assigns a physical address to a station when the station first boots. This section of ARCHER does not disclose that server processor 128 of ARCHER manages secure customer sessions over the public Internet and provides session management for a customer, the session

management including customer identification, validation, entitlements and encryption, as would be required by claim 97 based on the Examiner's interpretation of ARCHER. Therefore, this section of ARCHER does not disclose at least one secure web server that manages secure customer sessions over the public Internet, the at least one secure web server providing session management for a customer, the session management including customer identification, validation, entitlements and encryption, as recited in amended claim 97.

MCNAIR does not overcome the deficiencies of ARCHER set forth above with respect to this feature of amended claim 97.

Moreover, ARCHER and MCNAIR do not disclose at least one dispatch server that communicates with at least one secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for system resources after the customer's entitlements have been verified, as recited in amended claim 97. The Examiner relies on item 128b; items 140, 142, 146, 120, and 132; col. 8, line 61 to col. 9, line 9; and item 138 of ARCHER for allegedly disclosing this feature (Office Action, p. 9). Applicants disagree with the Examiner's interpretation of ARCHER.

Items 128b, 140, 142, 146, 120, 132, and 138 appear in Fig. 6 of ARCHER, which is described in col. 10, lines 45-55 of ARCHER, which was reproduced above. This section of ARCHER discloses server processor 128, which includes subsystems 128a, 128b, and 128c. This section of ARCHER does not disclose that server processor subsystem 128b of ARCHER provides verification of system access and proxy generation for system resources after a customer's entitlements have been verified, as

would be required by claim 97 based on the Examiner's interpretation of ARCHER.

Therefore, this section of ARCHER does not disclose at least one dispatch server that communicates with at least one secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for system resources after the customer's entitlements have been verified, as recited in amended claim 97.

Col. 8, line 61 to col. 9, line 9 of ARCHER were reproduced above. This section of ARCHER discloses that a follow-me processor performs a lookup to a database for the called party's designated destination numbers. The database has been set beforehand by entering the TCP/IP based destination in the called party's profile. The system supports both a static addressing scheme, in which each network interface is assigned a unique number, or a dynamic addressing scheme, in which a mechanism automatically assigns a physical address to a station when the station first boots. This section of ARCHER does not disclose that the follow-me processor of ARCHER provides verification of system access and proxy generation for system resources after a customer's entitlements have been verified, as would be required by claim 97 based on the Examiner's interpretation of ARCHER. Therefore, this section of ARCHER does not disclose at least one dispatch server that communicates with at least one secure web server and a plurality of system resources, the dispatch server providing verification of system access and proxy generation for system resources after the customer's entitlements have been verified, as recited in amended claim 97.

MCNAIR does not overcome the deficiencies of ARCHER set forth above with respect to this feature of amended claim 97.

Furthermore, ARCHER and MCNAIR do not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97. The Examiner relies on item 140; col. 4, lines 17-30; col. 5, lines 47-58; col. 2, lines 35-50; and col. 9, lines 62-67 of ARCHER for allegedly disclosing this feature (Office Action, p. 9). Applicants disagree with the Examiner's interpretation of ARCHER.

Item 140 of ARCHER depicts a modem (see line 66 of col. 7 of ARCHER). Item 140 of ARCHER does not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97.

Col. 4, lines 17-30 of ARCHER disclose:

A first embodiment system 110 of the present invention is illustrated in FIG. 2. Before turning to functional blocks of FIG. 2, however, it may be useful to provide a quick overview of the concept behind this embodiment. This embodiment of the present invention is based on Internet Protocol (IP) based voice traffic, where calls are: (1) converted from analog signal to digital signals, (2) split up into IP packets, (3) routed to their destination, and (4) reassembled. In the first embodiment, when an end user dials a single find-me number, the IP packets that make up the call are routed to a packet-switched network. Components within the network receive the header (call originate) and begin to search for a telephone number at which the person being called will answer.

This section of ARCHER discloses a system based on Internet Protocol based voice traffic, where calls are converted from analog to digital signals, split up into IP packets, routed to their destination, and reassembled. When an end user dials a single find-me number, the IP packets are routed to a packet-switched network. The components in the network receive the header and begin to search for a telephone number at which the person being called will answer. This section of ARCHER does not disclose a view application and a network manager that command and control switched voice traffic resources and switched data traffic resources. Therefore, this section of ARCHER does not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97.

Col. 5, lines 47-48 of ARCHER disclose:

FIG. 3 illustrates a simplified block diagram of a converter 126. The converter receives telephone signals from circuit-switched network 118.

This section of ARCHER discloses a converter that receives telephone signals from a circuit-switched network. This section of ARCHER does not disclose a view application and a network manager that command and control switched voice traffic resources and switched data traffic resources. Therefore, this section of ARCHER does not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review

network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97.

Col. 2, lines 35-50 of ARCHER disclose:

In another aspect, the present invention provides a communication system in which a plurality of converters are each operable to sample voice signals and create digital packets that contain a digital representation of the voice signals. Each converter might also create voice signals from a digital packet. A storage device contains a database of records each of which includes a call list of telephone numbers associated with each of a plurality of subscribers. The system also includes a computer system that operates under control of software. Upon receipt of a call notification, the software causes the computer system to query the database to retrieve a record associated with the call notification and to multicast digital call notification packets to a plurality of the converters. The digital notification packets include information relating to the call list of telephone numbers in the received record.

This section of ARCHER discloses a communication system in which a plurality of converters sample voice signals and create digital packets from the voice signals, and vice versa. A storage device contains a database of records that includes a call list of telephone numbers associated with subscribers, and a computer system that operates under the control of software. Upon receipt of a call notification, the software causes the computer system to query the database to retrieve a record associated with the call notification and to multicast digital call notification packets to a plurality of converters. This section of ARCHER does not disclose a view application and a network manager that command and control switched voice traffic resources and switched data traffic resources. Therefore, this section of ARCHER does not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and

control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97.

Col. 9, lines 62-67 of ARCHER disclose:

While described with respect to audio (e.g., voice), it is understood that data, video or combinations of all three could just as easily be used. Audio, data and video telephony over packet-switched networks is described in greater detail in co-pending application Ser. No. 08/751,205, which is incorporated herein by reference.

This section of ARCHER discloses that the system of ARCHER can use data, video, audio, or a combination of the three. This section of ARCHER does not disclose a view application and a network manager that command and control switched voice traffic resources and switched data traffic resources. Therefore, this section of ARCHER does not disclose a plurality of system resources that include a network manager which manages routing of the customer's traffic over the communications network, and a view application to review network traffic, the network manager and the view application responsive to proxy requests from the dispatch server, where the network manager and the view application command and control switched voice traffic resources and switched data traffic resources provided by the enterprise to the customer, as recited in amended claim 97.

MCNAIR does not overcome the deficiencies of ARCHER set forth above with respect to this feature of amended claim 97.

The Examiner alleges (Office Action, p. 13):

While the Examiner has cited references for many of the functional limitations that do not require an alteration of the structure for purposes of compact prosecution, it is his principal position that these elements do not need to be shown in order to show anticipation.

Applicants respectfully disagree with the Examiner's allegation. At the outset, as Applicants demonstrated above, the Examiner has not cited references that disclose the combination of features recited in claim 97. Furthermore, the Examiner has not provided

any evidence that the features allegedly disclosed by ARCHER and MCNAIR do not have any structural differences from the combination of features recited in claim 97. Furthermore, the Examiner does not have the authority to decide which features need to be shown and which features need not be shown to establish a *prima facie* case of obviousness. The Examiner must show that a combination of references discloses all the features of Applicants' claim 97 or explain why it is obvious to include any recited features not disclosed by the references.

The Examiner further alleges (Office Action, p. 13):

As per M.P.E.P. § 2106 II(c), language that suggests or makes optional but does not require steps to be performed, such as statements of intended use or field of use, are given less patentable weight. Words such as “for,” “to,” and “enable” can indicate intended use. Therefore, it is the Examiner's position that when one of these words follows a structure, and precedes a function, the function is intended use.

Applicants submit that M.P.E.P. § 2106 II(c) does not state that words such as “for,” “to,” and “enable” indicate intended use. Applicants respectfully request that the Examiner cite either a section of the M.P.E.P. or appropriate case law that indicates that words such as “for,” “to,” and “enable” can indicate intended use. Nevertheless, without acquiescing in the Examiner's allegation and merely to expedite prosecution, Applicants have amended claim 97 to address the Examiner's allegation.

For at least the foregoing reasons, Applicants submit that claim 97 is patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the rejection of claim 97 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Claims 98-109 depend from claim 97. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 97. Accordingly, Applicants

respectfully request that the rejection of claims 98-109 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Amended independent claims 110 and 115 recite features similar to, yet possibly of different scope than, feature discussed above with respect to claim 97. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons set forth above with respect to claim 97. Accordingly, Applicants respectfully request that the rejection of claims 110 and 115 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Claims 111-114 depend from claim 110. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 110. Accordingly, Applicants respectfully request that the rejection of claims 111-114 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Rejections on the grounds of non-statutory obviousness-type double patenting

In making an obviousness-type double patenting rejection, the Examiner should make clear (a) the differences between the inventions defined by the conflicting claims – a claim in one patent application compared to a claim in the other patent application; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the a claim of the other patent application (see M.P.E.P § 804). In the Office

Action, the Examiner provides no evidence to support the obviousness-type double patenting rejections.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of U.S. Patent No. 6,381,644. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 19):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant application represents the genus of the species that was allowed in the '644 patent.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,381,644. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,381,644 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,381,644; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,381,644, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-17 of U.S. Patent No. 6,381,644 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,377,993. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 19):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of the inventions is the same, however the exact wording is different.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,377,993. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,377,993 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,377,993; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of

the invention defined in the claim of U.S. Patent No. 6,377,993, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-21 of U.S. Patent No. 6,377,993 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-23 of U.S. Patent No. 6,385,644. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 19):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the only substantive difference between the two sets of claims in relation to the type of communication supported (voice or data), which would be an obvious modification.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,385,644. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,385,644 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,385,644; and (b) the reasons why a person of ordinary skill in the art would conclude

that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,385,644, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-23 of U.S. Patent No. 6,385,644 be reconsidered and withdrawn.

Pending claims 97-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 6,470,386. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 19):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the differences occur in the functional aspects and, as discussed above, patentability in system claims is derived from the structure not the function.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,470,386. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,470,386 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No.

6,470,386; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,470,386, as set forth in M.P.E.P. § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-8 of U.S. Patent No. 6,470,386 be reconsidered and withdrawn.

Pending claims 97-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,490,620. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 20):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the differences occur in the functional aspects and, as discussed above, patentability in system claims is derived from the structure not the function.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,490,620. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,490,620 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims,

by comparing each claim in the present application to a claim in U.S. Patent No. 6,490,620; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,490,620, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-20 of U.S. Patent No. 6,490,620 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-34 of U.S. Patent No. 6,574,661. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 20):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of the inventions is the same; however the exact wording is different. Also, the '661 patent contains extra limitations not required in the instant application.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,574,661. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,574,661 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,574,661; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,574,661, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-34 of U.S. Patent No. 6,574,661 be reconsidered and withdrawn.

Pending claims 97-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,598,167. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 20):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the differences occur in the functional aspects and, as discussed above, patentability in system claims is derived from the structure not the function.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,598,167. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer

identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,598,167 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,598,167; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,598,167, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-21 of U.S. Patent No. 6,598,167 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-26 of U.S. Patent No. 6,606,708. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 20):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant application represents the genus of the species that was allowed in the ‘708 patent.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,606,708. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the

customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,606,708 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,606,708; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,606,708, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-26 of U.S. Patent No. 6,606,708 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-73 of U.S. Patent No. 6,611,498. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, pp. 20-21):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of the inventions is the same; however the exact wording is different. Also, the ‘498 patent contains extra limitations not required in the instant application.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,611,498. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the

protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,611,498 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,611,498; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,611,498, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-10 of U.S. Patent No. 6,611,498 be reconsidered and withdrawn.

Pending claims 97-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-10 of U.S. Patent No. 6,745,229. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 21):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the differences occur in the functional aspects and, as discussed above, patentability in system claims is derived from the structure not the function.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,745,229. For example, claim 97 recites “an object oriented protocol that encrypts interactive

communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,745,229 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,745,229; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,745,229, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-10 of U.S. Patent No. 6,745,229 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-11 of U.S. Patent No. 6,763,376. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 21):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of the inventions is the same; however the exact wording is different. Claim 1 of the ‘376 patent and claim 98 of the instant application directly correspond to each other.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,763,376. For

example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,763,376 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,763,376; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,763,376, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-11 of U.S. Patent No. 6,763,376 be reconsidered and withdrawn.

Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,968,571. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 21):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of the inventions is the same; however the exact wording is different.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present

application are not obvious variants of the claims of U.S. Patent No. 6,968,571. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 6,968,571 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,968,571; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,968,571, as set forth in M.P.E.P. § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-20 of U.S. Patent No. 6,968,571 be reconsidered and withdrawn.

Pending claims 97-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-11 of U.S. Patent No. 7,058,600. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action, p. 21):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the differences occur in the functional aspects and, as discussed above, patentability in system claims is derived from the structure not the function.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 7,058,600. For example, claim 97 recites “an object oriented protocol that encrypts interactive communications between the system and the customer over the public Internet, the protocol invoked within a web browser executed by a workstation associated with the customer, where the object oriented protocol supports encryption, customer identification, authentication and network entitlements.” The claims of U.S. Patent No. 7,058,600 do not recite this feature.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 7,058,600; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 7,058,600, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-11 of U.S. Patent No. 7,058,600 be reconsidered and withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

Harrity & Harrity, LLP

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Date: January 5, 2009